THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.3666 of 2006

Dated: 09-06-2006

Syed Shah Ali Hussaini and others.

..... PETITIONERS

AND

The Commissioner of Appeals, Land Administration,
Hyderabad, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.3666 of 2006

ORDER:

The petitioners filed declarations under Section 6 of the Urban Land (Ceiling and Regulation) Act, 1976 (for brevity 'the Act') in respect of the land admeasuring 0.12 guntas and Acs.2.28 guntas in Survey Nos.99 and 100 situated at Langar House, Hyderabad. These applications/declarations being CC.No.B1/9534, 5515/1976 were duly processed and the second respondent issued necessary draft statement and final statement under Sections 8(1) and 8(4) read with Section 9 of the Act. Aggrieved by the orders of the second respondent, the petitioners also preferred an appeal under Section 33 of the Act, but the same was returned on 15-02-2006 for want of certified copies of the orders passed under Sections 8(4) and 9 of the Act. Therefore, the petitioners approached the second respondent seeking certified copies of the documents, in vain. Hence the present writ petition is filed.

Though sufficient time is allowed to the respondents to file affidavits or get instructions, no counter-affidavit is filed.

There is no denial that the petitioners preferred an appeal before the appellate authority and the same was returned for want of certified copies. If the certified copies are not furnished to enable the petitioners to avail the remedy of appeal, such remedy would be rendered useless. Therefore, this writ petition is disposed of directing the second respondent to furnish certified copies of the proceedings CC.No.B1/9534, 5515/1976 within a period of ten days from the date of receipt of a copy of this order. It shall be open to the second respondent to collect necessary charges as per Rules. No costs.

_____

(**V.V.S.RAO, J**)

9th June 2006

Note:

Issue CC in two days.

B/o

ghn